

Notice of Allowability

Application No.

09/771,692

Examiner

John Van Bramer

Applicant(s)

MITSUOKA ET AL.

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on February 28, 2006.
2. ☒ The allowed claim(s) is/are 1, 12, and 13.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

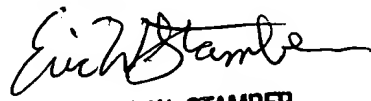
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ERIC W. STAMBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

DETAILED ACTION

Response to Amendment

1. The amendment filed on February 28, 2006 is sufficient to overcome the Govindarajan et al. (U.S. Patent Number: 6,208,659) reference.

Allowable Subject Matter

2. Claims 1, 12, and 13 are allowed.

Examiner's Statement of Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:
 - a. The examiner considers an awareness device to be a device that continuously broadcasts status information regarding its user's presence such as busy, idle, connected, and away from computer. This status can be set by the user or automatically determined based upon the user's interaction with the awareness device. Additionally, an awareness device continuously receives the status of other individuals that are using or interacting with another compatible awareness device (Kohda, Sugano, and Okuyama, "IMPP: A New Instant Messaging Standard and Its Impact on Internet Business, FUJITSU Sci. Tech. Journal, 2000, Issue 36, 2, pp 147-153).

Prior art was found which discloses the incorporation of status icons in conjunction with, or in place of, text based identifier that are continually broadcast

and received by awareness devices. (Isreal et al. (U.S. Patent Number: 6,330,007), Baker (U.S. Patent Number: 6,546,417), Gong (U.S. Patent Number: 6,243,089), Gould et al. (U.S. Patent Number: 6,693,236), and Brisebois et al. (U.S. Patent Number: 6,738,809)) The most relevant prior art to the claims presented is found in Govindarajan et al. (U.S. Patent Number: 6,208,659) which discloses the user's ability to select the status symbols used by an awareness device, and distributing this symbol to other user's of a compatible awareness device. Additionally, prior art was found that teaches the incorporation of advertisement icons with various applications such as: web pages, graphical user interfaces, and into the body of text based messages, such as e-mail and chat messages, sent between compatible awareness devices (Gabbard et al. (U.S. Patent Number: 6,205,432 and WO 01/63512 A1)). Prior art also discloses providing an incentive to a user for displaying advertisements (Goldhaber et al. (U.S. Patent Number: 5,794,210)).

However, prior art was not located which discloses an advertiser providing an incentive to a user of an awareness device when the user elects to replace a standard status icon with a status icon provided by said advertiser. Whereby this new advertiser status icon now represents the user's status and is displayed on compatible awareness devices used by others. Thus the Examiner considers this feature as the novelty of the invention.

Any comments considered necessary by the applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays,

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should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Van Bramer whose telephone number is (571) 272-8198. The examiner can normally be reached on 9am - 5pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jvb

